

## **EXHIBIT J**

**To Millian Declaration**

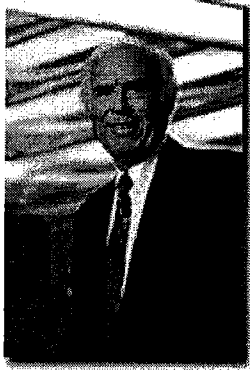
**Biographies of  
DurretteBradshaw Attorneys**

## DURRETTECRUMP<sup>PLC</sup>

ATTORNEYS AND COUNSELORS AT LAW

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### WYATT B. DURRETTE, JR. Director

804-775-6809

 Email

Wyatt B. Durette, Jr. is first and foremost a trial lawyer. In 2010 he received the prestigious Hunter W. Martin Professionalism Award from the Richmond Bar Association. He has been selected by his peers to be included in The

Best Lawyers in America in the area of Commercial Litigation, is a member of the Boyd-Graves Conference, is listed in Virginia Business Magazine's "Legal Elite," is named as one of fifteen Leaders in the Law for 2007 by Virginia Lawyers Weekly and named in Top Fifty Super Lawyers in the category of Business Litigation in Law & Politics magazine. He also served as Chairman of the Business Torts and Commercial Litigation Sections of the American Association for Justice and the Virginia Trial Lawyers Association, respectively. He is also recognized in Super Lawyers, Corporate Counsel Edition, 2010.

Mr. Durette focuses his practice on complex commercial litigation including antitrust. His trial experience includes representation of both plaintiffs and defendants in federal and state courts across the country. He is regarded by his colleagues as particularly effective in cases where fact patterns tend to be complex and records or witnesses numerous. He gives personal attention to a wide variety of matters handled by the firm as well as serving as a resource for attorneys managing cases in which he has no direct role. Mr. Durette maintains close ties within the professional community, and is often consulted by lawyers in other firms. His trial experience includes serving as Lead Counsel in a case considered to be "perhaps one of the most complex case litigated [in Virginia] in the modern era."

Mr. Durette is one of the firm's representatives to the XDL Group, Multidimensional Intellectual Property Advocates, of which the Firm is a founding member. The XDL Group, composed of litigators and IP experts around the country, specializes in intellectual property litigation. More information on the XDL Group can be found at [www.XDLgroup.com](http://www.XDLgroup.com).

#### PERSONAL BACKGROUND:

Mr. Durette received his undergraduate Degree in Mathematics from the Virginia Military Institute, where he played football and was honored as All Southern Conference in track and field. He received his law degree,

#### Practice Groups

Commercial Litigation  
Complex Litigation  
Intellectual Property Litigation

#### Education

Virginia Military Institute, B.A.  
Washington & Lee, J.D.  
Johns Hopkins University, M.A.

#### Admissions

Virginia  
District of Columbia  
Federal District of Colorado  
Courts of Appeals for First, Third, Fourth, Tenth, District of Columbia, and Federal Circuits  
United States Supreme Court

#### Organizations

Virginia Bar Association  
Richmond Bar Association  
Member of the John Marshall Inn of Court  
Member of the American Association for Justice (Formerly the Association of Trial Lawyers of America)  
Co-founder of XDL Group, a virtual, national collaboration of trial lawyers and Intellectual Property attorneys and professionals  
Past Chairman of the Business Torts Section of the American Association for Justice (Formerly Association of Trial Lawyers of America)  
Member of Virginia Trial Lawyers Association  
Past Chairman of the Business Litigation Section of the Virginia Trial Lawyers Association  
Faculty Member of the Virginia State Bar Harry L. Carrico Professionalism

*cum laude*, from Washington & Lee University and earned a Masters in Political Science from the Johns Hopkins University as a Gilman Fellow.

In law school, Mr. Durette was on the Washington & Lee Law Review, won the Burke Oral Argument Award and was chosen Chairman of the Moot Court team. He received the prestigious American Jurisprudence Awards for Excellence in several courses. He was President of his class at both VMI and W & L, and was selected to Who's Who Among Students at American Colleges and Universities at both schools.

#### PROFESSIONAL ACCOMPLISHMENTS:

The only Virginia attorney to prevail for a plaintiff and a defendant in conspiracy cases at trial and in the Virginia Supreme Court: *Commercial Business Systems v. Halifax Corp.*, 253 Va. 292, 484 S.E.2d 892 (1997) and *Tazewell Oil Co. v. United Virginia Bank*, 243 Va. 94, 413 S.E.2d 611 (1992). Mr. Durette won two of the largest attorney fee awards upheld by the Virginia Supreme Court, one awarded by the court and the other by a jury.

He served as the lead attorney in *Tazewell Oil Co. v. United Virginia Bank*, 243 Va. 94, 413 S.E.2d 611 (1992), a six week jury trial producing the then-largest verdict against a commercial lender in Virginia history. This case has been cited by Professor Kent Sinclair as "perhaps one of the most complex cases litigated in the modern era" in Virginia.

Mr. Durette won the first age discrimination case against an American airline company in *Smallwood v. United Airlines*, 661 F.2d 303(4th Cir. 1981).

Mr. Durette has served as case manager for a group of opt-out plaintiffs in one of the largest private antitrust cases in U.S. history. In recent years, he has worked in leadership positions for major class action cases around the country and handled intellectual property cases in various jurisdictions, including the successful two-week trial of a patent case in Minnesota.

## Articles, Seminars & News

Editor of Civil Discovery in Virginia published by the Virginia Continuing Legal Education Committee of the Virginia Law Foundation, the first comprehensive compilation of its kind in Virginia.

Author, FEE AGREEMENTS FOR VIRGINIA LAWYERS, published by the Virginia Continuing Legal Education Committee of the Virginia Law Foundation.

#### IDENTIFYING THE CIVIL RICO CASE

G. Robert Blakey, Richard L. Coffman & Wyatt B. Durette, Jr.  
As seen in the Journal of Virginia Trial Lawyers Association (VTLA) Winter, 2006

#### PREPARE, PREPARE, PREPARE FOR CROSS EXAMINATION

Wyatt B. Durette, Jr.

Course appointed by the former Chief Justice of the Virginia Supreme Court

## Civic Service

Elected to the Virginia General Assembly in 1971, Mr. Durette served three terms. While a member of the House of Delegates, his committee assignments included Courts of Justice, Conservation and Natural Resources, and Education. He was selected for numerous study groups, task forces and commissions, including appointment by President Reagan to the Advisory Committee on Intergovernmental Relations. In 1981, he was the Republican candidate for Attorney General. In 1985, he was the Republican party candidate for Governor.

Mr. Durette served on the Board of Directors for several charitable organizations including Comfort Zone Camp and Project Concern.

In 2005-2006, Mr. Durette served on Governor Tim Kaine's "Moving Virginia Forward" Transition Committee.

Mr. Durette also served on Governor Bob McDonnell's Transition Workgroup on Higher Education in 2009-2010.

As seen in the Journal of Virginia Trial Lawyers Association  
(VTLA) Winter, 2006

**THE IMPACT OF THE CLASS ACTION FAIRNESS ACT IN VIRGINIA**

Wyatt B. Durette and Christine A. Williams

As seen in the Journal of Virginia Trial Lawyers Association  
(VTLA) Summer, 2006

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### BARRETT E. POPE Managing Director

804-775-6820

 [Email](#)

During thirty years in private practice, Barrett Pope has represented clients in a variety of commercial lawsuits in state and federal courts. He is included in The Best Lawyers in America in Commercial Litigation and in Super

Lawyers magazine in Business Litigation. He has been named among the Legal Elite in Civil Litigation by Virginia Business magazine.

Mr. Pope also has written numerous appellate briefs and argued before the Virginia Supreme Court and the United States Court of Appeals for the Fourth Circuit.

### Representative Clients/Matters

Mr. Popes cases have involved:

- Contract disputes
- Business torts
- Non-compete agreements
- Lender liability
- Patent Infringement
- Eminent domain
- Professional negligence
- Defamation

#### PERSONAL BACKGROUND

Mr. Pope received his law degree in 1981 from the University of Richmond, where he was a member of the Law Review, the National Moot Court team, and Omicron Delta Kappa. He graduated from the University of Virginia in 1975 with a Bachelor of Science in Commerce. Mr. Pope has been married for thirty-five years and has a daughter and son in college.

### Articles, Seminars & News

#### Practice Groups

Commercial Litigation

#### Education

University of Virginia, B.A., 1975  
University of Richmond, J.D., 1981

#### Admissions

Virginia

#### Organizations

Virginia Association of Defense Attorneys  
Richmond Bar Association

#### Civic Service

Mr. Pope has served on various Bar committees as well as community, charitable and religious boards.

Co-author and lecturer, **CIVIL DISCOVERY IN VIRGINIA**, Virginia  
CLE

Author, "**NON-JURY TRIAL OF CIVIL LITIGATION: JUSTIFYING A  
COMPLEXITY EXCEPTION TO THE SEVENTH AMENDMENT**," 15  
U.Rich. L Rev. 897

Co-author, "**EMPLOYEE COVENANTS NOT TO COMPETE: WHERE  
DOES VIRGINIA STAND?**" 15 Rich. L Rev. 105

Speaker at numerous continuing legal education seminars.

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**PETER E. BROADBENT III**  
**Principal**

**804-916-6572**

 **Email**

Peter E. Broadbent III practices in the areas of Health Law and Complex Litigation. Mr. Broadbent is a member of the Health Law Section of the Virginia State Bar and serves on the Richmond Bar Association's Publications Committee.

As a member of the firm's Health Care Practice Group, Mr. Broadbent advises health care professionals and businesses on compliance with Virginia and federal health laws and regulations. Mr. Broadbent has assisted the firm's clients in various areas of health care law, including governmental compliance and regulatory investigations. Additionally, Mr. Broadbent has served as a guest lecturer to the Virginia Commonwealth University Graduate School of Pharmacy.

In the Complex Litigation Practice Group, Mr. Broadbent has worked on sophisticated litigation, including extensive antitrust work in the health care realm. Mr. Broadbent has devoted a significant portion of his practice to assisting in the In Re Brand Name Prescription Drugs Antitrust Litigation (MDL 997), a major federal antitrust action that has been described as "one of the largest antitrust cases in American history." Elzinga, Kenneth G., and David E. Mills. "The Brand Name Prescription Drugs Antitrust Litigation (1999)." In The Antitrust Revolution: Economics, Competition, and Policy, 4th edn., edited by John E. Kwoka, Jr. and Lawrence J. White, 302. New York: Oxford University Press, 2004.

## Articles, Seminars & News

Mr. Broadbent has been selected by his peers as one of **VIRGINIA'S "LEGAL ELITE"** in Health Law, according to **VIRGINIA BUSINESS MAGAZINE**, in cooperation with the Virginia Bar Association.

Mr. Broadbent was also included in **RICHMOND MAGAZINE's** Super Lawyers Rising Stars.

### Practice Groups

Complex Litigation  
Health Care

### Education

University of Virginia, B.A., 1999  
Washington & Lee, J.D.,  
2002  
Clerk to the Honorable Judge David H. Adams, United States Bankruptcy Court, in Norfolk, Virginia

### Admissions

Virginia

### Organizations

Virginia Bar Association  
Health Care Section  
Richmond Bar Association  
Publications Committee

### Civic Service

Richmond SPCA Associate Board  
Member of the Society of Colonial Wars

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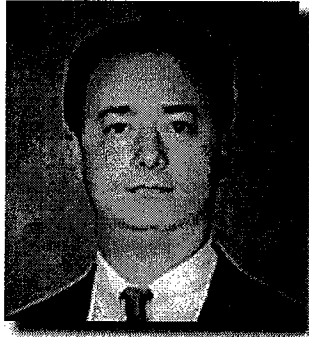


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**KEVIN J. FUNK**  
**Principal**

**804-343-4387**

 **Email**

Kevin Funk practices in the firm's Commercial Litigation and Bankruptcy practice groups focusing on general commercial litigation in state and federal courts and in arbitration proceedings. Mr. Funk has experience handling all kinds of

contract disputes—especially those involving construction and real estate matters. Additionally, Mr. Funk frequently represents clients in connection with disputes arising over non-compete/non-solicitation agreements in the securities industry and other industries. In the bankruptcy field, Mr. Funk has represented creditors, debtors, and Chapter 7 trustees in all types of bankruptcy matters including preference actions, fraudulent transfers, motions for relief from the automatic stay, and dischargeability suits.

#### **PERSONAL BACKGROUND:**

Mr. Funk earned his law degree cum laude from the University of Richmond School of Law in 2003, where he served as Articles Editor of Richmond Law Review. He received a Bachelor of Arts degree in Politics from Washington & Lee University in 2000.

Immediately following law school, Mr. Funk served as a law clerk to the Honorable William F. Stone, Jr., United States Bankruptcy Court for the Western District of Virginia.

### Representative Clients/Matters

Represented forty creditors holding approximately \$40 million in claims in the LandAmerica 1031 Exchange Services, Inc. bankruptcy.

Obtained a \$1.5 million judgment in Richmond Circuit Court on behalf of a petroleum distributor in a breach of contract case, and successfully defended the judgment on appeal to the Virginia Supreme Court.

Successfully defended a landowner in a prosecution by a county for violation of a zoning ordinance.

#### **Practice Groups**

Bankruptcy  
Commercial Litigation

#### **Education**

Washington & Lee, B.A., 2000  
University of Richmond, J.D., 2003  
Clerk to the Honorable William F. Stone, Jr., United States Bankruptcy Court for the Western District of Virginia

#### **Admissions**

Virginia State Bar  
United States District Courts for the Eastern and Western Districts of Virginia  
United States Bankruptcy Courts for the Eastern and Western Districts of Virginia

#### **Organizations**

Richmond Bar Association

Successfully defended a contractor in a prosecution by a county for violation of the building code.

Obtained a preliminary injunction against a county on behalf of a developer to prevent the county from drawing on a letter of credit issued to secure performance under a site plan.

Served as debtor's counsel in The Mattress King, Inc. Chapter 11 bankruptcy.

Successfully represented multiple contractors and other professionals in matters before the Virginia Department of Professional and Occupational Regulation.

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### J. BUCKLEY WARDEN IV Associate

804-916-6597

 [Email](#)

J. Buckley Warden IV practices primarily in the firm's Commercial Litigation Practice Group with a focus on serving businesses involved in contract disputes. Mr. Warden also works on adversary proceedings in Bankruptcy law,

26 U.S.C. § 1031 exchange claims, and constitutional law.

#### PERSONAL BACKGROUND

Mr. Warden earned his law degree magna cum laude from the University of Richmond School of Law, where he served as Articles Editor of Richmond Law Review and was a member of the John Marshall Inn of Court. He also served on the Moot Court Board, the Trial Advocacy Board, and the Law School Admissions Committee. During law school, Mr. Warden received numerous awards and honors including the following:

- CALI Awards (highest grade in the class) in Evidence, Remedies, Advanced Trial Practice & Medical Malpractice
- International Trial Advocacy Award (awarded by the faculty at graduation)
- Order of the Barristers (chosen by faculty for graduating outstanding oral advocates)
- Labor and Employment Trial competition, Winner, Nov. 2007
- Virginia Trial Lawyers Association Trial Advocacy Tournament, Winner, Jan. 2006 & Jan. 2007
- John Marshall Law School ABA Criminal Law Competition, Perfect Attorney Score, Apr. 2006
- Georgetown Law White Collar Crimes Competition, Semi-Finalist, Oct. 2006
- National Trial Competition, Semi-Finalist, Jan. 2007 & Jan. 2008
- Chief Justice Harry Carrico Moot Court Competition, Finalist, Oct. 2006

Mr. Warden graduated magna cum laude from Furman University with a Bachelor of Arts degree in Political Science and Philosophy. During college, he served as Captain of the Furman University Mock Trial Team.

Between law school and joining DURRETTECRUMP, Mr. Warden served as a law clerk to The Honorable G. Edward Welmaker, Resident Judge of the

#### Practice Groups

Commercial Litigation

#### Education

Furman University, B.A.  
University of Richmond, J.D.

#### Admissions

Virginia State Bar  
South Carolina Bar

#### Organizations

Richmond Bar Association

#### Civic Service

University of Richmond School of Law  
Trial Advocacy Board, Volunteer  
Judge  
Campbell Young Leader - Devoted  
over 800 hours to tutoring elementary  
and GED students.

Thirteenth Judicial Circuit of South Carolina presiding over both a  
criminal and civil docket.

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